

IX. SATISFACTION OF ORDER

The provisions of this Order shall be deemed satisfied upon the Port of Seattle's receipt of written notification from Ecology that the Port of Seattle has completed the remedial activity required by this Order, as amended by any modifications, and that the Port of Seattle has complied with all other provisions of this Agreed Order.

X. ENFORCEMENT

Pursuant to RCW 70.105D.050, this Order may be enforced as follows:

A. The Attorney General may bring an action to enforce this Order in a state or federal court.

B. The Attorney General may seek, by filing an action, if necessary, to recover amounts spent by Ecology for investigative and remedial actions and orders related to the Site.

C. In the event the Port of Seattle refuses, without sufficient cause, to comply with any term of this Order, the Port of Seattle will be liable for:

a. Up to three (3) times the amount of any costs incurred by the State of Washington as a result of its refusal to comply; and

b. Civil penalties of up to twenty-five thousand dollars (\$25,000) per day for each day it refuses to comply.

D. This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under RCW 70.105D.060.

Effective date of this Order: JULY 10, 2009

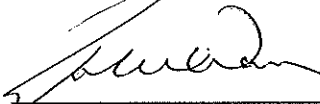
PORT OF SEATTLE



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STATE OF WASHINGTON,
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